**Form 64**

**Warrant for recovery of land**

Court reference number:

Court enforcement number:

Agent reference number:

Defendant’s/judgment debtor’s date of birth:

This warrant for recovery of land relates to the court case—

between [*Full name(s)*] (plaintiff/judgment creditor)

and [*Full name(s)*] (defendant/judgment debtor)

**To a Bailiff or Constable**

**1** This warrant authorises you to immediately enter the land located at [*Address*], by force if necessary, between the hours of 9 am and 4 pm and to give possession of the land to the plaintiff/judgment creditor.

**2** On [*Judgment date*], the District Court at [*place*] ordered [*Name of defendant/judgment debtor*] to give the plaintiff/judgment creditor possession of the land on or before [*Possession date*].

**3** *Omit this paragraph if no order for rent, mesne profits, damages, or costs is made*. The District Court at [*place*] also ordered [*Name of defendant/judgment debtor*] to pay the plaintiff/judgment creditor the amount of $[*Judgment amount*] for rent, mesne profits, damages, costs\*.

|  |
| --- |
| \*Select as appropriate. |

**4** [*Name of defendant/judgment debtor*] has not complied with the judgment or court order.

**5** *Omit this paragraph if only possession of the land is being sought*. This warrant authorises you to collect from [*Name of defendant/judgment debtor*] the sum of $[*Enforcement total*] and the further costs of seizure for this warrant by taking any of the following actions:

* You can seize and sell property of the defendant/judgment debtor (excluding their necessary tools of trade to a value not exceeding $5,000, and excluding their household furniture and clothing up to $10,000).
* You can seize and remove any money, bank notes, securities for money, bills of exchange, promissory notes, or bonds of the defendant/judgment debtor.

**6** Any money received is to be paid immediately to the Registrar of the District Court, and a return completed for this warrant.

Issued by: [*Name*], Registrar/Deputy Registrar\*

|  |
| --- |
| \*Select one. |

Date:

Application was made to the Registrar of the court for the issue of this warrant at [*Application time*] on [*Application date*] by [*Applicant*].

**Notes**

*Omit these notes if only possession of the land is being sought*. The breakdown of the total amount owed by the defendant/judgment debtor is:

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  | **($)** |
| Amount of judgment debt | |  |  |
|  | *Less amount already paid* |  |  |
| Interest on the remaining debt | |  |  |
| Fee for filing application | |  |  |
| Lawyer costs for this application | |  |  |
| Costs of previous enforcement action | |  |  |
| **Total amount owed** | |  |  |